

EXHIBIT 1

Matthew Cyran

From: Brett Behenna <bb@lawfirmokc.com>
Sent: Thursday, March 2, 2023 2:48 PM
To: Matthew Cyran
Subject: FW: Kayleigh Moffett Release Conditions

From: Gonzalez, Ernest (USATXE) <Ernest.Gonzalez@usdoj.gov>
Sent: Thursday, March 2, 2023 2:05 PM
To: Brett Behenna <bb@lawfirmokc.com>; Nikki Stephens <Nikki_Stephens@txep.uscourts.gov>
Cc: Donald Rogan <Donald_Rogan@txep.uscourts.gov>
Subject: Re: Kayleigh Moffett Release Conditions

Ms. Stephens,

Her employment is not approved by law enforcement. Same applies to her mother, Ms. Mercer. Thank you.

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From: Brett Behenna <bb@lawfirmokc.com>
Sent: Wednesday, March 1, 2023 10:01:25 AM
To: Nikki Stephens <Nikki_Stephens@txep.uscourts.gov>; Gonzalez, Ernest (USATXE) <EGonzalez@usa.doj.gov>
Cc: Donald Rogan <Donald_Rogan@txep.uscourts.gov>
Subject: [EXTERNAL] RE: Kayleigh Moffett Release Conditions

Nikki,

I understand and thank you for taking the time to look into this. Please let me know when you have a further update.

Brett

From: Nikki Stephens <Nikki_Stephens@txep.uscourts.gov>
Sent: Tuesday, February 28, 2023 2:20 PM
To: Brett Behenna <bb@lawfirmokc.com>; ernest.gonzalez_usdoj.gov <ernest.gonzalez@usdoj.gov>
Cc: Donald Rogan <Donald_Rogan@txep.uscourts.gov>
Subject: RE: Kayleigh Moffett Release Conditions

Mr. Behenna – While I am empathetic with Ms. Moffett’s situation, our role is to insure the conditions of release are being followed and enforced. As I noted below, this is not our call. The employment has to be approved by law enforcement. I copied AUSA Gonzalez for clarification as to whether or not law enforcement is still approving this employment. In the interim, she can continue to work there. Hopefully, we can have this resolved by the end of the week.

Sincerely,

NIKKI STEPHENS

Nikki Stephens

Deputy Chief U.S. Probation Officer

ED/TX – Sherman Division

Office: 903/209-4201

Cell: 903/421-6666

Deliberative, Responsibility, Significant, Input, Analytical

From: Brett Behenna <bb@lawfirmokc.com>

Sent: Monday, February 27, 2023 6:17 PM

To: Nikki Stephens <Nikki_Stephens@txep.uscourts.gov>; ernest.gonzalez_usdoj.gov <ernest.gonzalez@usdoj.gov>

Cc: Donald Rogan <Donald_Rogan@txep.uscourts.gov>

Subject: RE: Kayleigh Moffett Release Conditions

CAUTION - EXTERNAL:

Nikki,

We are talking about 35 year old woman with two young kids, one 19 months and the other 2 weeks old. Pursuant to an agreement with the government, she has been working at AGC continuously and without interruption since April 2021. This agreement was codified in an order restraining assets in August 2021. You are correct when you point out that order was vacated. However, please keep in mind that the order was vacated so that the government did not interfere with the bankruptcy taking place in OKC. The motion to vacate and the subsequent order had nothing to do with preventing Kayleigh from working at AGC. In fact, Kayleigh continued to work at AGC another 8 months following that order with no alleged wrongdoing by the government.

She is now 2 months from trial with two infant children. The company provides insurance for her children and a salary to support her family. If she loses her job, she loses the ability to provide for a care for her family. In what way is that a constructive decision or promoting the goals of pretrial release? How does that decision provide due process to a young woman who is presumed innocent of the crimes alleged by the government. Kayleigh has demonstrated for over two years that she is not a danger or a flight risk. She has attended numerous meetings with the government. She has never failed to comply with a government request. In what way is making her lose her job at this stage in the case anything but vindictive? She is a good person and a good mom. I ask that you please reconsider and allow her young children to be able to maintain their health insurance and let her provide for her family.

Brett

From: Nikki Stephens <Nikki_Stephens@txep.uscourts.gov>

Sent: Monday, February 27, 2023 4:02 PM

To: Brett Behenna <bb@lawfirmokc.com>; ernest.gonzalez_usdoj.gov <ernest.gonzalez@usdoj.gov>

Cc: Donald Rogan <Donald_Rogan@txep.uscourts.gov>

Subject: FW: Kayleigh Moffett Release Conditions

Importance: High

Good afternoon Mr. Behenna,

SUSPO Don Rogan forwarded your email to me. In reviewing the "Order Restraining Assets" and additional Court records, I see that the order was actually vacated by US District Judge Amos Mazzant on June 22, 2022. (see attachment). Unfortunately, this takes us back to the original pretrial release order. Page 2 of the order states that Ms. Moffett is not to have contact with Aircraft Guarantee Corporation, Wright Brother Aircraft and

Title, or DLE Escrow *unless authorized by law enforcement*. We were advised by the Government that they are no longer authorizing her employment with AGC.

I have copied AUSA Ernest Gonzales on this email for clarification.

Sincerely,

Nikki Stephens

Nikki Stephens

Deputy Chief U.S. Probation Officer

ED/TX – Sherman Division

Office: 903/209-4201

Cell: 903/421-6666

Deliberative, Responsibility, Significant, Input, Analytical

From: Donald Rogan <Donald_Rogan@txep.uscourts.gov>

Sent: Friday, February 24, 2023 12:29 PM

To: Nikki Stephens <Nikki_Stephens@txep.uscourts.gov>

Subject: FW: Kayleigh Moffett Release Conditions

From: Brett Behenna <bb@lawfirmokc.com>

Sent: Friday, February 24, 2023 9:12 AM

To: Donald Rogan <Donald_Rogan@txep.uscourts.gov>

Subject: Kayleigh Moffett Release Conditions

CAUTION - EXTERNAL:

Mr. Rogan,

Attached please find two orders from the Court following Ms. Moffett being granted pretrial release. The first allows her to have contact with her mother Debbie Mercer-Erwin. That order should end the debate about whether she can be around her mother on release. The second order allows Ms. Moffett to draw a salary from the AGC. This is something the government agreed to. On our phone call yesterday, you said that someone (although you could not tell me who) said Ms. Moffett was not cooperating with the government so she should not be allowed to work at the company. Can you provide me with any support for the idea that Ms. Moffett is no longer cooperating? Can you provide me a single instance of a request made that she failed to comply with? If so, what is it? If not, what is the basis for your decision to bar her from working at AGC?

This issue is important and I request you immediate attention to this matter because Ms. Moffett has two young children (one of which is a week or two old). She relies on her salary from AGC to support her family. Her prospect of finding a new job that can be flexible with her schedule and infant child is non-existent. This will effectively deny her the right to work and provide for her family in the buildup to her trial scheduled for April 10, 2023. Please keep in mind that Ms. Moffett has worked for AGC since April 2021 to present. That is almost 2 years of constant and consistent employment at AGC. What changed from the beginning of this week (February 20, 2023) to your call to probation in Oklahoma City yesterday to support your decision to end Ms. Moffett's work at AGC?

Brett